

KEEGAN WERLIN LLP

ATTORNEYS AT LAW
265 FRANKLIN STREET
BOSTON, MASSACHUSETTS 02110-3113

—
(617) 951-1400

TELECOPIERS:
(617) 951-1354
(617) 951-0586

November 16, 2009

Mark D. Marini, Secretary
Department of Public Utilities
One South Station
Boston, MA 02110

Re: D.P.U. 09-33, NSTAR Electric Company

Dear Secretary Marini:

Enclosed for filing on behalf of NSTAR Electric Company (“NSTAR Electric”) is NSTAR Electric’s Motion to File Limited Rebuttal Testimony. Also enclosed is a certificate of service.

Thank you for your attention to this matter.

Sincerely,



Robert N. Werlin

Enclosures

cc: Service List

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF PUBLIC UTILITIES

NSTAR Electric Company)
_____))

D.P.U. 09-33

CERTIFICATE OF SERVICE

I certify that I have this day served the foregoing document upon the Department of Public Utilities and parties of record in accordance with the requirements of 220 C.M.R. 1.05 (Department's Rules of Practice and Procedures).



Robert N. Werlin, Esq.
Keegan Werlin LLP
265 Franklin Street
Boston, Massachusetts 02110
(617) 951-1400

Dated: November 16, 2009

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF PUBLIC UTILITIES

NSTAR Electric Company)
_____)

D.P.U. 09-33

MOTION TO FILE LIMITED REBUTTAL TESTIMONY

Now comes NSTAR Electric Company (“NSTAR Electric” or the “Company”) and hereby requests that the Department of Public Utilities (the “Department”) permit it to file rebuttal testimony on a limited issue in this proceeding. As described below, good cause exists to amend the procedural schedule to permit such limited prefiled rebuttal testimony.

On November 12, 2009, the Low Income Weatherization and Fuel Assistance Program Network and The Massachusetts Energy Directors Association (together, “LEAN”) filed the testimony of Nancy Brockway, addressing the impact of the Company’s Smart Grid Pilot proposal (the “Pilot”), especially as to how it affects low-income customers. In that regard, Ms. Brockway makes a number of recommendations for changes in the Pilot. See summary of recommendations on pages 6 and 7 of Brockway testimony.

NSTAR Electric is willing to incorporate some of the recommendations in its Pilot, and it would be appropriate to file limited prefiled rebuttal testimony in order to provide adequate notice to the parties and the Department about what changes it is willing (and not willing) to make to accommodate the concerns of LEAN. Because the procedural schedule does not presently include an opportunity for prefiled rebuttal testimony, the Company would generally respond to the LEAN testimony at the evidentiary hearings, which would limit the parties’ and Department’s ability to prepare

any questions on the Company's response.

The Company has conferred with other parties in this case (LEAN, the Attorney General and the Department of Energy Resources) and is authorized to represent that none objects to this motion. Accordingly, good cause exists to permit the Company to prefile rebuttal testimony limited to the issue of addressing the recommendations of LEAN within five business days of the Department granting this motion.

WHEREFORE, the Company requests that the Department grant this motion to file rebuttal testimony on the limited issues described above.

Respectfully submitted,

NSTAR ELECTRIC COMPANY

By its attorney,

A handwritten signature in black ink that reads "Robert N. Werlin". The signature is written in a cursive style with a large initial "R".

Robert N. Werlin
Keegan Werlin LLP
265 Franklin Street, 6th Floor
Boston, MA 02110
Telephone: (617) 951-1400
Telecopier: (617) 951-1354

Dated: November 16, 2009